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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

Case No. CR99-210-RSM

12 v.

13 DARRYL WILLIAM YOUNG,
14
15 Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

16 **INTRODUCTION**

17 I conducted a hearing on alleged violations of supervised release in this case on January 23,
18 2013. The defendant appeared pursuant to a warrant issued in this case. The United States was
19 represented by Ehren Reynolds, and defendant was represented by Peter Camiel. Also present
20 was U.S. Probation Officer Thomas J. Fitzgerald. The proceedings were digitally recorded.

21 **SENTENCE AND PRIOR ACTION**

22 Defendant was sentenced on October 28, 1999, by the Honorable Barbara J. Rothstein for
23 Bank Robbery. He received 100 months of detention and 5 years of supervised release. On July
18, 2012, a violation report was submitted to the Court advising of Mr. Young's use of opiates in
May and June 2012. As Mr. Young was addressing these violations through treatment, no Court
action was recommended and approved.

1 **PRESENTLY ALLEGED VIOLATIONS**

2 In a petition dated December 27, 2012, U.S. Probation Officer Thomas J. Fitzgerald alleged
3 that defendant violated the following conditions of supervised release:

- 4 1. Consuming codeine and morphine on or before August 9, 2012, in violation of
5 standard condition number 7 of his supervised release.
- 6 2. Consuming opiates on or before September 4 and 12, 2012, in violation of standard
7 condition number 7 of his supervised release.
- 8 3. Consuming codeine on or before December 3, 2012, in violation of standard
9 condition number 7 of his supervised release.
- 10 4. Failing to report to the probation officer as directed on December 14, 2012, in
11 violation of standard condition number 2 of his supervised release.
- 12 5. Failing to report for drug/alcohol testing as directed on December 12, 13, 17, and 18,
13 2012, in violation of his special condition of supervised release.

14 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

15 Defendant admitted the above violations, waived any hearing as to whether they occurred,
16 and was informed the matter would be set for a disposition hearing on February 18, 2013, at 9:30
17 a.m. before District Judge Ricardo S. Martinez.

18 **RECOMMENDED FINDINGS AND CONCLUSIONS**

19 Based upon the foregoing, I recommend the court find that defendant has violated the
20 conditions of his supervised release as alleged above, and conduct a disposition hearing.

21 DATED this 23rd of January, 2013.

22 

23 **BRIAN A. TSUCHIDA**
United States Magistrate Judge